

July 13, 2011

The Regular Meeting of the Rockingham County Board of Supervisors was held on Wednesday, July 13, 2011, at 3:00 p.m. at the Rockingham County Administration Center, Harrisonburg, Virginia. The following members were present:

PABLO CUEVAS, Election District #1
FREDERICK E. EBERLY, Election District #2
DEE E. FLOYD, Election District #3
WILLIAM B. KYGER, JR., Election District #4
MICHAEL A. BREEDEN, Election District #5

Also present:

JOSEPH S. PAXTON, County Administrator
THOMAS H. MILLER, JR., County Attorney
STEPHEN G. KING, Deputy County Administrator
JAMES L. ALLMENDINGER, Director of Finance
WARREN G. HEIDT, Director of Public Works
TERRI M. PERRY, Director of Technology
KATHARINE S. McQUAIN, Director of Recreation
STEPHEN R. RIDDLEBARGER, Director of Human Resources
WILLIAM L. VAUGHN, Director of Community Development
JEFFREY S. MICHAEL, Deputy Fire Chief
DIANA C. STULTZ, Zoning Administrator
GRETCHEN M. SALLAH, Deputy Clerk
DONALD F. KOMARA, Residency Administrator
Virginia Department of Transportation

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CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE.

Chairman Breeden called the meeting to order at 3:00 p.m.

Supervisor Floyd gave the Invocation and Supervisor Kyger led a moment of silence for Andrea Lohr, Donald Litten and Nelson Liskey, who passed away this week. Deputy Administrator King led the Pledge of Allegiance.

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APPROVAL OF MINUTES.

On motion by Supervisor Eberly, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the minutes of June 22, 2011 and amended the June 8, 2011 minutes to reflect a change in Election District from #5 to #4 for Samuel G. Lilly's special-use permit SUP-074.

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RECOGNITION – FRANKLIN P. O'BYRNE.

Administrator Paxton read a resolution honoring Franklin P. O'Byrne, retiring Director of the Department of Information Systems.

R E S O L U T I O N

WHEREAS, Franklin P. O'Byrne began his employment with the Rockingham County Schools in March 1981 as a Programmer Analyst; and

WHEREAS, Mr. O'Byrne, later became a member of the County's Information Systems Department when these functions merged, serving first as a Senior Programmer Analyst, and later as Acting Director before his appointment in November 1997 as Director; and

WHEREAS, Mr. O'Byrne has led the County through numerous changes in technologies and their use in local government, including the transition to portable computers, electronic mail (e-mail), the internet, Facebook, and Twitter; and

WHEREAS, during his tenure, the department progressed from a Novel network supporting an OS/2 desktop Local Area Network (LAN) at five sites connected by a "slow" MMDS fiber Wide Area Network (WAN) to a "lightening fast" Microsoft Windows and SQL server-based network connecting six sites over a Gigabit fiber WAN.

WHEREAS, Mr. O'Byrne's department changed from using Report Program Generator (RPG) as a basic programming language to Visual Dataflex with a MS Windows integrated, user-friendly interface; was responsible for an ever-increasing number of desktop computers from the first to over 300 today; and oversaw the development of the County's first website and, most recently, the installation of a voice-over-internet protocol (VOIP) telephone system; and

WHEREAS, Mr. O'Byrne has served the citizens of Rockingham County tirelessly, providing his service in a conscientious, fair, and open manner, working to use technology to allow the County to operate in a cost effective and efficient manner, while meeting the needs of a growing community; and

WHEREAS, Mr. O'Byrne retired from service with Rockingham County on June 30, 2011, after 30 years of dedicated public service.

NOW, THEREFORE, BE IT RESOLVED that the Rockingham County Board of Supervisors, on behalf of the citizens of Rockingham County, hereby recognizes Franklin P. O'Byrne for his outstanding contribution benefiting our community for these past 30 years, and extends to him its sincere appreciation for his dedicated service, and wishes him well in his retirement.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board approved the resolution for Mr. O'Byrne.

Chairman Breedon presented Mr. O'Byrne with the resolution, Administrator Paxton presented him with a clock and each member of the Board thanked him for his service.

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CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING.

Administrator Paxton and Finance Director Allmendinger informed the Board of their receipt of a Certificate of Achievement from the Government Finance Officers Association for Excellence in Financial Reporting. It is the 29th consecutive year the County has received the award.

Mr. Allmendinger commended the Finance Department on their efforts leading up to the award and thanked the County's leadership for its sound financial stewardship.

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TRANSPORTATION DEPARTMENT.

The Board heard Mr. Komara's report on the activities of the Transportation Department including paving along Harpine Highway (Route 42) to include a bike lane.

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**STATE PERFORMANCE CONTRACT – HARRISONBURG-ROCKINGHAM
COMMUNITY SERVICES BOARD.**

Administrator Paxton briefly discussed the Fiscal Year 2011-2012 State Performance Contract previously provided to the Board, which identifies funding resources and agency responsibilities in providing services that ensure accountability and quality of care for Community Services Board clients.

On motion by Supervisor Kyger, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board endorsed the Fiscal Year 2011-2012 State Performance Contract for the Harrisonburg-Rockingham Community Services Board.

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ANIMAL IMPOUNDMENT AGREEMENT (SPCA).

Administrator Paxton informed the Board the three-party agreement states that local government funding for this service will be designated by the City and County on an annual basis during its budget review process. He also noted that the contract will continue from year to year, unless terminated by any party with a one year notice. The services provided by the SPCA under the agreement meet the impound requirement stipulated in State law. The City Manager advised the County that the City Council approved an identical agreement the previous night, he said.

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board adopted the following agreement:

ANIMAL IMPOUNDMENT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2011, by and among the CITY OF HARRISONBURG, a Virginia municipal corporation (the City); the COUNTY OF ROCKINGHAM, a Virginia political subdivision (the County); and the ROCKINGHAM-HARRISONBURG SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC., a Virginia non-profit corporation (the Society).

W I T N E S S E T H:

WHEREAS, the City and the County are required by state law to cause to be maintained a pound for the keeping of certain animals; and

WHEREAS, the Society is currently providing pound services for the City and the County in a facility it owns, located in Rockingham County, that was built with significant financial support from the City and the County; and

WHEREAS, both the City and the County have determined that their respective citizens will be appropriately served by continuing to have the Society provide the mandated pound services and operate an animal shelter; and

WHEREAS, the City, County and Society desire to enter into this Agreement to set forth the terms and conditions under which the Society shall operate an animal pound, or shelter, that the City and the County can rely upon to satisfy the State Code requirements;

NOW, THEREFORE, the parties agree as follows:

1. The Society agrees to operate and maintain a lawful pound for the City and the County in accordance with Section 3.2-6546 of the Code of Virginia (1950), as amended, (the "State Code"), meeting the City's and the County's obligations under state law to provide such a facility. The Society shall exercise its discretion as an independent contractor in the management of its affairs while it carries out its duties and responsibilities under this Agreement. All such duties and tasks performed for the care for animals at the shelter, including the adoption and euthanasia of such animals, shall be done in accordance with the Society's policies; provided that such policies shall at all times be consistent with any and all applicable state laws and regulations, including, but not limited to, the guidelines issued by the Virginia Department of Agriculture and Consumer Services. The Society shall maintain records as required by such laws and regulations. These records shall be open for inspection by authorized representatives of the City or the County, or both, during normal working hours.

The duties described in the preceding paragraph shall include, but not be limited to, confining dogs and other animals pursuant to any and all applicable laws or ordinances, or as determined by City or County law enforcement or animal control officers to be necessary to protect the public health, safety and welfare. In addition, the Society may, in its discretion, accept for shelter such other animals as it may elect to accept.

Any animal that is required or permitted to be confined at the shelter shall be so confined for a period of time not less than that required by law. The Society may, in its

discretion, retain an animal for a longer period, provided such additional confinement is not a derogation of the rights of the rightful owner of such animal.

The Society shall maintain suitable office hours at the animal shelter for the convenience of the public and for the purposes of transacting business in connection with the duties under this Agreement and for the purpose of receiving animals or for accepting applications for the redemption of impounded animals.

2. The Society shall perform its duties and responsibilities under this Agreement as an independent contractor and not as an agent or servant of the City or the County. None of the officers, agents, employees or volunteers of the Society shall be deemed to be officer, agents, employees or volunteers of the City or the County for any purpose. The Society's Board of Directors shall exercise control and supervision over its agents, employees and volunteers in the performance of their work.

3. For purposes of planning and budgeting, by February 1 of each year, the Society shall submit a budget request to the City Manager and County Administrator for the amount to be considered for the services rendered under this Agreement, and shall provide a statistical report of the services provided for the City and the County for the prior calendar year.

On an annual basis with the adoption of their respective budgets, the City and the County shall determine an amount to be contributed to the Society for the services provided under this Agreement.

The City and the County, respectively, shall pay to the Society the amounts budgeted in four equal installments on or before the 10th day of July, October, January and April of each year.

The Society shall retain and apply toward the cost of sustaining the operation of the shelter all adoption fees, citizen's donations toward shelter operations, service fees received, and any other receipts. The Society shall keep accurate records of income and expenses, and said records shall be subject to an annual audit by an independent third party accounting firm, with a copy of said audit provided to the City and the County within 120 days after the end of the fiscal year of the Society. The Society shall provide to the City and the County, within 45 days of filing, a copy of its completed IRS Form 990, or other similar form, required to be filed annually for operations of a not-for-profit agency.

4. It is mutually understood and agreed by and among the City, the County and the Society that the initial term of this Agreement shall begin July 1, 2011 and end June 30, 2012. Subject to the determination of the financial contributions from the City and the County as stipulated in paragraph 3 above, this Agreement shall continue

in effect on an annual basis to coincide with the fiscal year of the City and the County, unless terminated by any party with one (1) year written notice to the other parties.

5. All contributions from the City and the County under this Agreement are subject to the availability of appropriation for this purpose by the City Council for the City and the Board of Supervisors for the County. In the event of non-appropriation of funds by either the City or the County for the services provided under this Agreement, this Agreement shall be terminated with respect to the non-appropriating party on the last day of that party's then current fiscal year without termination charges or other liability to either the City or the County.

6. Any notices required by this Agreement shall be sent by first class United States mail, return receipt requested or hand-delivered. Such notice shall be addressed as follows:

CITY: City Manager
City of Harrisonburg
345 South Main Street
Harrisonburg, VA 22801

COUNTY: County Administrator
County of Rockingham
20 East Gay Street
Harrisonburg, VA 22802

SOCIETY: Executive Director
Rockingham-Harrisonburg SPCA
2238 Old Furnace Road
Harrisonburg, VA 22802.

7. The Society shall indemnify and hold harmless the City and the County for any damages suffered or penalties or fines imposed that result from a breach of this Agreement by the Society, including but not limited to the requirement of this Agreement that the Society operate the animal shelter in accordance with all requirements of the Virginia State Code.

WITNESS, the following signatures:

Joseph S. Paxton
County Administrator
County of Rockingham

Kurt D. Hodgen
City Manager
City of Harrisonburg

Anne Anderson
Executive Director
Rockingham-

Harrisonburg Society for
the Prevention of Cruelty
to Animals

Supervisor Eberly commented that for an agency that cannot turn away animals, the Harrisonburg – Rockingham Society for the Prevention of Cruelty to Animals does a great job.

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COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Administrator Paxton's staff report of July 7, 2011.

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COUNTY ATTORNEY'S STAFF REPORT.

Administrator Paxton requested Mr. Miller look at documents received from the National Association of Counties (NACo) related to the construction of broadband infrastructure by localities.

On motion by Supervisor Kyger, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board instructed the County Administrator and County Attorney to draft a letter in support of continuing local control over land use, building code and setback issues related to broadband infrastructure for the Chairman to sign.

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DEPUTY COUNTY ADMINISTRATOR'S STAFF REPORT.

The Board received and reviewed Mr. King's staff report of July 8, 2011.

Mr. King noted the scope for the final build-out of the SRI International facility is complete and staff requested approval from the Board to proceed.

The project has been properly budgeted and the debt service will be covered by the lease payments from SRI International, said Supervisor Cuevas.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried

by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board authorized up to \$2.1 million to complete the final build-out of the SRI International facility.

Mr. King also briefly discussed a request to use the McGaheysville waste water treatment plant for the production of algae. Staff recommended, and the Board concurred, the County should retain control of the treatment plant in case it is needed in the future.

Mr. King discussed with the Board possible energy savings through HVAC and electrical upgrades at the Sheriff's Office and Jail facility. Last year a company performed an audit of the facilities and found the Jail's utility costs were 35% higher than for similar facilities in the region. The Board expressed an interest in pursuing further information for lowering utility costs at County facilities.

Following an audit in 2010 by Dominion Power of street lights located in the County that were being billed to the County, staff recommended and the Board concurred that only street lights that serve County buildings would continue to be funded by the County. Dominion recently took the lights in the Donnagail subdivision out of service. Calls will be referred to Mr. King.

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FINANCE COMMITTEE.

Mr. Allmendinger presented the following:

The Fire and Rescue Chief requested a supplemental appropriation of \$21,268 to purchase paging equipment to meet new Federal Communications Commission (FCC) regulations using Rescue Squad Assistance Fund (RSAF) grant funding approved through the Virginia Office of Emergency Medical Services. Fire and Rescue has sufficient funds in their approved FY 2012 budget for the local match required.

Supplemental Appropriation: \$21,268

\$ 3,570	GL Code: 001-03201-300-6065-000	Minor Equipment
\$17,698	GL Code: 001-03201-300-8001-000	Machinery & Equipment
\$21,268	GL Code: 001-02404-4100	Rescue Squad Assistance

On motion by Supervisor Cuevas, seconded by Supervisor Kyger and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board approved the supplemental appropriation as presented.

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HUMAN RESOURCES DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Riddlebarger's staff report dated July 13, 2011.

Mr. Riddlebarger discussed with the Board the results of a recent Request for Proposal regarding contracting for a third-party administrator for the self-insured health insurance plan for County and School employees. The County and School Liaison Committee reviewed the results and recommend selecting Anthem Blue Cross and Blue Shield. The Anthem proposal provided the plan with the greatest discount, established fixed fees for administrative expenses and minimized the necessity to modify the current plan design. However, he noted there will be a change to the vision benefit plan as Anthem contracts with a third-party for this service. The changes to the health plan take place October 1, 2011. Mr. Riddlebarger also pointed out, based upon the projected cost of the plan, that no change in funding by either the County or the employees will be necessary for the coming plan year.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the County Administrator to execute the contract with Anthem Blue Cross and Blue Shield for third-party administrative services on behalf of the County for the County and School self-insured health plan, with premiums paid by employees to remain unchanged for the coming plan year.

Mr. Riddlebarger informed the Board that the rates for dental insurance through United Concordia increased by six percent for the coming year, but that the Liaison Committee recommended accepting the new rates and revisiting the contract next year.

On motion by Supervisor Cuevas, seconded by Supervisor Eberly and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board authorized the County Administrator to execute the contract with United Concordia to provide dental insurance for the plan year October 1, 2011 through September 30, 2012 with the rates charged to employees as follows:

Biweekly Premium Deductions

Employee Monthly Premiums effective October 1, 2011:

<u>Type of Coverage</u>	<u>Current Premium</u>	<u>New Premium</u>
Employee Only	\$24.16	\$25.60
Employee & Spouse	\$44.96	\$47.66
Employee & Child	\$44.96	\$47.66
Employee & Children	\$71.14	\$75.42
Employee & Family	\$71.14	\$75.42

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PUBLIC WORKS DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Heidt's staff report dated July 13, 2011 including the following:

- The Donnelly booster station upgrade project was expected to be complete by July 22, 2011;
- Staff was soliciting proposals for ongoing groundwater monitoring services and a work order for expansion of the gas collection system to boost gas flow;
- Staff was meeting with officials from Rockingham Memorial Hospital to review the operation and maintenance of the landfill gas processing;
- Carbon credits have been sold by Blue Source through the year 2014 for \$4.35 per tonne (metric ton).

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COMMUNITY DEVELOPMENT DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mr. Vaughn's staff report dated July 13, 2011. Mr. Vaughn introduced Christopher Andrews, who joined the office as a Planner. Additionally, he announced that Cari Orebaugh was starting full-time as an economic and tourism specialist and Doug Sexton was hired as a permit specialist.

Supervisor Breeden thanked Ms. Orebaugh for representing the County and for her involvement in the 75th anniversary celebration for Shenandoah National Park.

Mr. Vaughn informed the Board that City View will go online shortly. It is a software program that will allow inspectors to file real-time reports and citizens to

check the status of building permits and planning applications (site plans and special-use permits).

The Board will hold a joint work session with the Planning Commission on July 27, 2011 at 3:30 p.m. to discuss the draft Zoning Ordinance.

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TECHNOLOGY DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. Perry's staff report dated July 2011.

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FIRE AND RESCUE CHIEF'S STAFF REPORT.

The Board received and reviewed Chief Symons' staff report dated July 6, 2011. Deputy Chief Michael was in attendance and informed the Board that Captain Ike Diehl's retirement reception will be August 4, 2011.

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RECREATION DIRECTOR'S STAFF REPORT.

The Board received and reviewed Mrs. McQuain's staff report dated July 2011.

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APPOINTMENT – BOARD OF ZONING APPEALS.

Supervisor Kyger informed the Board that Michael Taylor, the representative from District 4 on the Board of Zoning Appeals, moved out of the area. He requested the Board fill the vacancy by recommending Michael N. Harvey to the Circuit Court for appointment to the Board of Zoning Appeals. Mr. Harvey is the President and Owner of Stewart Title.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; the Board recommended Michael N. Harvey, Election District 4, to the Circuit Court for appoint to the Board of Zoning Appeals to fulfill the unexpired term of Michael Taylor that expires October 7, 2013.

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COMMITTEE REPORTS.

MASSANUTTEN REGIONAL LIBRARY

Supervisor Eberly advised the committee will meet next week in Luray.

VIRGINIA ASSOCIATION OF COUNTIES (VACo) LIAISON

Supervisor Kyger advised he planned to attend the National Association of Counties (NACo) conference in Portland Oregon July 15-18. The VACo Board of Directors and Steering Committees will meet August 12, 2011 in Glen Allen.

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RECESS FOR DINNER.

The meeting was recessed from 4:06 p.m. to 6:00 p.m. for dinner.

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PUBLIC HEARING – SPECIAL-USE PERMIT REQUESTS.

At 6:00 p.m., Chairman Breeden opened the public hearing and Ms. Stultz reviewed the following special-use permit applications:

SUP-087 East Gate Ministries, PO Box 1934, Harrisonburg 22803 for a residential maternity home for young women ages 18 and older on property located on the east side of Acker Lane (Route 779) approximately 1000' east of Brenneman Church Road (Route 778), Election District #2, Zoned A-1; Tax Map #79-(A)-6. Parcel address: 6137 Acker Lane.

In response to Supervisor Cuevas, applicant Ilsa Weaver explained the home was for unwed pregnant women 18 years and older who may not have a support system to help them transition into motherhood. The women must be referred and screened before they are accepted and the women agree to participate in a six-month program to teach them how to care for their baby and themselves. The home is only for pregnant women. When the child is born, they are moved into the homes of host families for up to 10 weeks. The request is for a maximum of eight people to reside in the home, two "house parents" and six women, she said. Most of the women are from the local area and immediate surrounding locales, but the residents could come from outside the area.

No one spoke in opposition.

SUP-088 Paul W. Zimmerman, 10615 Nature Trail Drive, Dayton 22821 for a slaughter house and meat processing shop on property located on the southwest side of Nature Trail Drive (private) approximately 675' west of Rumsey Lane (Route 751), Election District #4, Zoned A-2; Tax Map #104-(A)-1C.

This request was the result of a zoning violation, Ms. Stultz said.

In response to questions from Supervisor Cuevas, the applicant stated at this time he was processing the animals, not slaughtering them onsite, but hoped to expand his business. He composts the refuse, which is minimal, but if allowed to slaughter, he would have to add a pit and compost, according to state regulations.

No one spoke in opposition.

SUP-091 Diane Z. Roll, T/A Mama's Caboose, LLC, 5539 Sagefield Drive, Harrisonburg 22801 for a catering business (food preparation to be delivered off-site) on property located on the southwest side of Oakwood Drive (Route 704) approximately 750' southeast of Sagefield Drive (Route 1059), Election District #4, Zoned M-1; Tax Map #123-(A)-68C. Property address: 375 Oakwood Drive.

The applicant was present.

No one spoke in opposition.

SUP-092 Will Brothers, Inc., 795 Old Bridgewater Road, Mt. Crawford 22841 for milk processing, bottling and retailing and the sale of produce from farm or farms within two miles of the site on property located on the west side of Old Bridgewater Road (Route 867) approximately 300' south of Dinkel Avenue (Route 257), Election District #4, Zoned A-1; Tax Map #137-(A)-28.

Ms. Stultz stated that she received an e-mail from Karl Stoltzfus, owner of Dynamic Aviation, and had heard from Robert Holton, Town Manager for Bridgewater, and neither objected to the request.

Applicant Frank Will said he hoped this request would help their farm to remain viable in the County and would be both a good fit for the farm and for consumers who wish to buy fresh local foods.

No one spoke in opposition.

SUP-104 Steven R. Crawford, 851 Hillside Avenue, Harrisonburg 22802 for second residence on property located on the north side of Wengers Mill Road (Route 753) approximately 2000' west of Harpine Highway (Route 42), Election District #2, Zoned A-1; Tax Map #64-(3)-1. Property address: 4820 Wengers Mill Road.

The applicant stated he bought 40 acres and a house that his step-daughter lives in. He hoped to build a house on the property for he and his wife to be closer to the step-daughter. The land is currently rented out for hay production.

Supervisor Eberly stated this was prime A-1 land not intended to be chopped up for residences and asked what would happen if the step-daughter decided to leave.

Mr. Crawford responded he had not planned for that occurrence.

Chairman Breeden closed the public hearing and reconvened the regular meeting at 6:20 p.m.

On motion by Supervisor Eberly, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; and subject to the following conditions, the Board approved SUP-087, East Gate Ministries, PO Box 1934, Harrisonburg 22803 for a residential maternity home for young women ages 18 and older on property located on the east side of Acker Lane (Route 779) approximately 1000' east of Brenneman Church Road (Route 778), Election District #2, Zoned A-1; Tax Map #79-(A)-6. Parcel address: 6137 Acker Lane.

CONDITIONS:

1. Use shall be located in substantial accordance with plot plan as approved.
2. As suggested by the Health Department, the applicant shall have the spring water tested to ensure safe drinking water.

3. The applicant shall have a system design engineer certify that the existing system will be able to handle the wastes for this use. Only residential wastes shall be associated with the use.
4. As required by Fire & Rescue, the applicant shall install hardwired interconnected smoke detectors.
5. This use shall be limited to no more than 8 persons including staff.
6. If an on-premise sign is placed on the property, it shall comply with the Rockingham County Code, and the proper permits shall be obtained.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; and subject to the following conditions, the Board approved SUP-088 Paul W. Zimmerman, 10615 Nature Trail Drive, Dayton 22821 for a slaughter house and meat processing shop on property located on the southwest side of Nature Trail Drive (private) approximately 675' west of Rumsey Lane (Route 751), Election District #4, Zoned A-2; Tax Map #104-(A)-1C.

CONDITIONS:

1. Use shall be located in substantial accordance with plot plan as approved.
2. Building shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
3. This permit is contingent upon the Health Department approval of an on-site sewage disposal system.
4. Applicant shall comply with all state and federal regulations regarding slaughter and processing of animals.
5. Applicant shall submit copies of all state and federal permits to the Zoning Administrator.
6. All regulations for the proper disposal of non-sewage wastes associated with this use shall be met.
7. This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.

8. Parking shall comply with the Rockingham County Code.
9. On-premise advertising sign shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.
10. There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
11. A certificate of occupancy shall be obtained from the County. No certificate of occupancy shall be issued until all other conditions of this permit are met.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY – AYE; FLOYD - AYE; KYGER - AYE; and subject to the following conditions, the Board approved SUP-091, Diane Z. Roll, T/A Mama's Caboose, LLC, 5539 Sagefield Drive, Harrisonburg 22801 for a catering business (food preparation to be delivered off-site) on property located on the southwest side of Oakwood Drive (Route 704) approximately 750' southeast of Sagefield Drive (Route 1059), Election District #4, Zoned M-1; Tax Map #123-(A)-68C. Property address: 375 Oakwood Drive.

CONDITIONS:

1. Use shall be located in substantial accordance with plot plan as approved.
2. This permit is contingent upon applicant obtaining food services permits from the Health Department. A copy of said permit shall be submitted to the Zoning Administrator to be made a part of the file.
3. All requirements regarding food and beverage tax shall be met. No sale of food shall be made until the Zoning Administrator has been notified by the Commissioner of Revenue that the proper registration and filing has occurred.
4. This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
5. Inasmuch as this site is for food preparation only and the public shall not be coming to this site, there shall be no signage except what might be on the catering trailer permitted.

6. All state regulations regarding the food preparation shall be met.
7. All food preparation shall be done in this catering trailer and no food preparation shall be done in applicant's residence.
8. If this request is approved, applicant shall apply for a home occupation permit for the office in her home that will be operated in conjunction with this business.

On motion by Supervisor Kyger, seconded by Supervisor Cuevas and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; and subject to the following conditions, the Board approved SUP-092, Will Brothers, Inc., 795 Old Bridgewater Road, Mt. Crawford 22841 for milk processing, bottling and retailing and the sale of produce from farm or farms within two miles of the site on property located on the west side of Old Bridgewater Road (Route 867) approximately 300' south of Dinkel Avenue (Route 257), Election District #4, Zoned A-1; Tax Map #137-(A)-28.

CONDITIONS:

1. Use shall be located in substantial accordance with plot plan as approved.
2. Building used for produce sales shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
3. If any milk is brought in from properties other than the subject property, the milk plant shall comply with the Virginia Uniform Statewide Building Code, and the proper permits shall be obtained.
4. Fire & Rescue reserves the right to require a fire lane if needed.
5. As required by the Health Department the applicant must obtain the proper permits for the milk plant.
6. This permit is contingent upon the Health Department approval of an on-site sewage disposal system.
7. An entrance permit shall be obtained from VDOT to upgrade the existing farm entrance to a low volume commercial entrance.
8. As required by VDOT, the existing entrance shall be raised to improve the commercial entrance landing area to Old Bridgewater Road.

9. This permit is contingent upon a site plan being submitted to and approved by the County. No permits shall be issued by the Department of Community Development and no work shall be done on the property until such time as a site plan is approved.
10. Off-street parking shall comply with the Rockingham County Code, and there shall be no parking on VDOT's right-of-way.
11. On-premise advertising sign shall comply with the Rockingham County Code, and a permit shall be obtained for any sign.
12. There shall be no off-premise signs allowed unless all County and VDOT requirements for outdoor advertising signs are met.
13. For the buildings requiring building permits, a certificate of occupancy shall be obtained from the County. Certificate of occupancy shall not be issued until all other conditions of this permit are met.

On motion by Supervisor Eberly, seconded by Supervisor Floyd and carried by a vote of 5 to 0, voting recorded as follows: BREEDEN - AYE; CUEVAS - AYE; EBERLY - AYE; FLOYD - AYE; KYGER - AYE; the Board tabled SUP-104, Steven R. Crawford, 851 Hillside Avenue, Harrisonburg 22802 for second residence on property located on the north side of Wengers Mill Road (Route 753) approximately 2000' west of Harpine Highway (Route 42), Election District #2, Zoned A-1; Tax Map #64-(3)-1. Property address: 4820 Wengers Mill Road.

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ADJOURNMENT.

There being no further business, Chairman Breeden declared the meeting adjourned at 6:27 p.m.

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Chairman